

BARBARA A. MIKULSKI
MARYLAND

COMMITTEES:

APPROPRIATIONS

HEALTH, EDUCATION, LABOR,
AND PENSIONS

United States Senate

WASHINGTON, DC 20510-2003

September 16, 2009

Ms. Joyce K. Frank
Acting Assoc. Admin. for Cong. and Intergov'tl. Relations
Environmental Protection Agency
1200 Pennsylvania Ave., N. W.
Room 3426 ARN
Washington, D.C. 20460-0001

Dear Ms. Frank:

I would appreciate it if you would review the enclosed correspondence and would contact my office as soon as possible with the appropriate information to respond to my constituent.

Please send your response to the attention of my assistant, Rachel Docherty, in my office at the address indicated above.

Thank you for your consideration of this matter.

Sincerely,



Barbara A. Mikulski
United States Senator

IN REPLY PLEASE REFER TO
OFFICE INDICATED:

- ☒ 1628 THAMES STREET, SUITE 400
BALTIMORE, MD 21231
(410) 962-4510
VOICE/TDD: (410) 962-4512
- ☐ 60 WEST STREET, SUITE 202
ANNAPOLIS, MD 21401-2448
(410) 263-1805
BALTIMORE: (410) 263-1850
- ☐ 6404 IVY LANE, SUITE 406
GREENBELT, MD 20770-1407
(301) 345-5517
- ☐ 94 WEST WASHINGTON STREET
HAGERSTOWN, MD 27140-4804
(301) 797-2826
- ☐ SUITE 1E, BUILDING B
1201 PEMBERTON DRIVE
SALISBURY, MD 21801-2403
(410) 546-7711

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BALTIMORE JUNIOR ACADEMY

3006 W. Cold Spring Lane
Baltimore, Maryland 21215
Tel: (410) 542-6758
Fax: (410) 542-7412

To: Senator Barbara A. Mikulski's office

Greetings Senator Mikulski,

I am writing on behalf of Baltimore Junior Academy. In April 2008 we received an AHERA inspection from the MD chapter of the EPA. We were, very regrettably, not in compliance. However, our lack of compliance was not willful, we were unaware of the laws which took effect 20 years ago. I am not suggesting that our ignorance is not an excuse, merely explaining the circumstances. We did attempt to find out what was necessary to come into compliance, via the internet and the phone, but were unable to get any relevant information (not even a contact name). In March of 2009 the EPA contacted us with a list of the "infractions". We apologized and since that time we have worked tirelessly with their officers in various attempts to do what ever they have required us to do to come into compliance. The problem has been, however, that the requirements always seem to shift just as we meet them. I have been willing to deal with the rude and disrespectful attitudes, the belittling tones, the vague and unclear instructions, the long periods of unreachability (almost a month at times), and long periods of waiting (as much as two months), I have even tried to work through the constant threats (which have gone as high as \$11,000 fine) and intimidation tactics (which to be quite honest have been infuriating, especially since we are just trying to educate children). For the last two months we have been waiting for closing documents from region 3 of the EPA. These documents were to state, as the EPA officers and I agreed, that our case was now in compliance and that our fines had been absorbed by the amount of money that has or would be spent coming into compliance. On September 10th, 2009 I received a phone call from Ms. Carolyn Bernota at region 3, she is one of the officers that we have been working with. In the conversation, which before my dealings with region 3 I would have classified as unusual, Ms. Bernota began to suggest that there were still problems with the compliance of the school. She began to attempt to undercut the findings of the inspection which were clearly in our favor. She began to ask things like "What is your relationship to the school?" a question which even her paperwork says is irrelevant. She has even called to harass the gentleman who preformed our inspection; the same man who performed the inspections for Baltimore County public schools, Alex Fridman *Advanced Air Analysts*. I advised Mr. Fridman to refer her back to the school. During my conversation with Ms. Bernota I requested that she compile a list of what is required for our school to be accepted as compliant and send it in email form. I have not received the

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email; moreover, I have serious questions about the integrity of the process for becoming compliant. I believe that for whatever reason we have reached a point where we as school are unable to resolve this issue. We therefore are asking for your help in clearing this matter up. Senator Mikulski, as a school we operate in very tough conditions. We are in a rough area. We are under tremendous financial strain. Yet each year we are blessed to churn out strong, intelligent young women and young men who go on to excel in high schools, and colleges and continue on to become leaders in the community, the church, and even in the nation. We are proud of that tradition, and Senator, we are grateful for the support you have given us in the past. We thank you for your leadership in our Community, and we earnestly ask for any help that you can give us in this matter.

Thank you And GOD bless you
Craig Davis

MARYLAND

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1201 PEMBERTON DRIVE
SALISBURY, MD 21801-2403
(410) 645-7711Date: 9/16/09The Following 3 Page (s), not including this form

Is / Are For:

Ms Joyce Frank
(202) 501-1519

From:

Rachel Dorhepty

Subject:

MR. Craig DavisBaltimore MIDR AcademyOffice of Senator Barbara A. Mikulski
1629 Thames Street
Suite 400
Baltimore, Maryland 21231IF THIS TRANSMITTAL IS INCOMPLETE,
PLEASE CALL 410.962.4510